

8/20/07 - Monday, August 20, 2007

CITY OF EAU CLAIRE

PLAN COMMISSION MINUTES

Meeting of August 20, 2007

City Hall, Council Chambers

7:00 p.m.

Members Present: Messrs. Levandowski, Davis, Waedt, Vande Loo, Hughes, Kaiser

Staff Present: Messrs. Reiter, Amundson, Noel

The meeting was chaired by Mr. Levandowski

1. REZONING (Z-1393-07) - TC-3 to C-3P, Mercantile Drive

Mr. Reiter presented the staff report to the commission. The site is located west of Mercantile Drive and north of Kohlhepp Road. The applicant's request is to rezone property from Temporary C-3 to C-3P and to approve the General Development Plan for commercial development. The future intent is to split the lot for development. Mr. Reiter discussed conditions relating to staff's recommendation of approval. The main conditions were that the owner enter into a development agreement to extend Mercantile Drive northwards, reduce the existing curb cut to 30 feet wide, the existing outdoor storage on the property cannot be enlarged and shall be screened. The commission could require the owner to remove the nonconforming billboard sign when the current lease terminates.

Commissioners discussed the nonconforming outdoor storage area in a commercial district and recommended it should be properly screened with landscaping.

Evelyn Ferneding-Farr, Ayres Associates, representing the owner, stated they would comply with all the conditions as indicated in the staff report. She asked if the General Development Plan could be amended to include a 20-foot front yard setback as city code allows. Also, she mentioned the site has a new owner, which is a tow truck business.

Mr. Levandowski opened and closed the public hearing after no one came forward.

Mr. Davis moved to recommend approval per staff's conditions. Mr. Hughes amended the conditions to include a 20-foot front yard setback for the General Development Plan. Mr. Kaiser seconded and the motion carried.

**2. REZONING (Z-1394-07) - C-2 to R-3P, 2027 3rd Street
and
CONDITIONAL USE PERMIT (CZ-0721) - Single-family Home in R-3P District**

Mr. Reiter stated the applicant's request is to rezone a parcel from C-2 to R-3P and to adopt the General Development Plan with a conditional use permit for the one-family dwelling located at 2027 3rd Street. The neighborhood is transitioning more to residential so the request is indicative of this trend. Past action of similar requests that were approved by the commission further collaborates the rezone.

The applicant/owner, Dana Stanley, 1421 Cameron Street, told the commission he is having difficulty selling the single-family dwelling because it is zoned commercial.

Mr. Levandowski opened and closed the public hearing after no one came forward.

Mr. Davis moved to recommend approval. Mr. Vande Loo seconded and the motion carried.

**3. COMMUNITY BASED RESIDENTIAL FACILITY (CBRF-01-07) - 1403 Truax Blvd.
and
SITE PLAN (SP-0730) - 14-Unit Addition**

Mr. Reiter presented the staff report for a request to approve a Community Based Residential Facility building expansion and site plan at 1403 Truax Boulevard. The 14-unit expansion would be primarily for elderly women who need some assistance with daily living. The use is compatible with the existing use and the Comprehensive Land Use Plan. The applicant needs a city exception as per State Statute 62.23(7)(i) in order to construct the addition. In 2004, the applicant obtained a city exception from another CBRF located within 2,500 feet for a 24-unit addition. Currently, there are two other CBRFs located within 2,500 from the site. However, this proposed addition should not affect nearby properties and generate more traffic.

The applicant's builder, Tim Pabich, 2727 Pine View Lane, questioned the city requirement of needing to plant a row of trees along the 14th Street employee parking lot because the property is owned by another entity.

Staff stated it was a past condition of the original 24-unit approval that was not fulfilled by the applicant.

Mr. Levandowski opened and closed the public hearing after no one came forward.

Mr. Vande Loo moved to recommend approval with the conditions of the staff report and City Engineer's letter. Mr. Waedt seconded and the motion carried.

4. **CONDITIONAL USE PERMIT (CZ-0722) - Garage, 516 Jefferson Street**

The applicant's request is to allow a detached garage in excess of accessory use standards. Mr. Reiter stated the applicant needs a conditional use permit for the detached garage because it would be over the 18-foot height limit. The extra height is for a workshop above the garage.

Applicant, Todd Butler, 516 Jefferson Street, gave the commission a document in which he obtained several neighbors' acceptance signatures of his proposal.

Mr. Levandowski opened and closed the public hearing after no one came forward.

Mr. Kaiser moved approval with the conditions listed in the staff report. Mr. Vande Loo seconded and the motion carried.

5. **Minutes**

The minutes of the meeting of August 6, 2007, were approved.

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Fred Waedt
Secretary